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Seeking Appointment as Attorney for Defendant
ROLANDO MEDINA

FILED

APR 10 2008

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. Cr. S 03-549 EJG
)	
Plaintiff,)	REQUEST FOR APPOINTMENT OF
)	COUNSEL; [lodged] ORDER
v.)	
)	<u>RETROACTIVE CRACK COCAINE</u>
ROLANDO MEDINA,)	<u>REDUCTION CASE</u>
)	
Defendant.)	Date: Friday, May 23, 2008
)	Time: 10:00 a.m.
)	Judge: Hon. EDWARD J. GARCIA.

Pursuant to 18 U.S.C. §§ 3006A(c) and 3852(c)(2), Defendant, ROLANDO MEDINA, hereby requests the court appoint the Office of the Federal Defender and Assistant Federal Defender David M. Porter as counsel to represent him with respect to his motion to reduce sentence pursuant to 18 U.S.C. § 3582(c)(2), filed January 14, 2008. Mr. Porter is familiar with the case and is willing to accept the appointment.*

Appointment of counsel would serve the interests of justice in this case because it might facilitate a negotiated disposition of the motion and because the motion might raise novel legal issues surrounding application of the United States Sentencing Commission's

* Mr. Medina has authorized the undersigned to file this application on his behalf.

1 recent retroactive reduction of sentences under the crack cocaine
2 guidelines. Because Mr. Medina's substantial rights may be affected by
3 these criminal proceedings, he is constitutionally entitled to
4 appointment of counsel. *Mempa v. Rhay*, 389 U.S. 128, 134 (1967).

5 Accordingly, Mr. Medina requests the Court issue the order lodged
6 herewith.

7 Dated: April 7, 2008

8 Respectfully submitted,

9 DANIEL J. BRODERICK
10 Federal Defender

11 /s/ David M. Porter
12 DAVID M. PORTER
Assistant Federal Defender

13 Seeking Appointment as Attorney for Movant
14 ROLANDO MEDINA

15 **ORDER**

16 Pursuant to defendant's request, and good cause appearing
17 therefor, the Office of the Federal Defender and Assistant Federal
18 David M. Porter is hereby appointed to represent defendant with respect
19 to his motion to reduce sentence.

20 DATED: April 7, 2008

21 Ed J. Garcia
22 HONORABLE EDWARD J. GARCIA
United States District Judge

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REQUEST FOR APPOINTMENT OF COUNSEL